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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--------------------|-------------|----------------------|---------------------|------------------|
| 10/796,781 | 03/09/2004 | Sean Haney | D-1218 R10 | 1660 |
| 28995 | 7590 | 08/25/2006 | EXAMINER | |
| RALPH E. JOCKE | | | HAUPT, KRISTY A | |
| walker & jocke LPA | | | ART UNIT | |
| 231 SOUTH BROADWAY | | | PAPER NUMBER | |
| MEDINA, OH 44256 | | | 2876 | |

DATE MAILED: 08/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|-----------------|--------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 10/796,781 | HANEY ET AL. | |
| | Examiner | Art Unit | |
| | Kristy A. Haupt | 2876 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 15-17 is/are rejected.
- 7) ☒ Claim(s) 2-14 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 3/9/04 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>3/05</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This office action is in response to Application 10/796,781 filed 09 March 2004.

Claims 1-16.

Claim Objections

1. Claims 15-17 are objected to because of the following informalities:
 - With respect to claim 15, Applicant uses letter (d) in line 7 of the claim without first providing the letters a-c.
 - With respect to claim 16, Applicant uses letter (c) in line 1 of the claim without first providing the letters a-b.
 - With respect to claim 17, Applicant uses the letter (d) in line 1 of the claim where (d) is different from (d) in Claim 15, which claim 17 is dependent upon. Applicant uses the letter (e) in line 2 of the claim without first using the letters a-b.

Appropriate correction or clarification is required.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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2. Claims 1 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Johnston US 5,673,333 in view of Barton et al. US 6,733,108 B2.

Johnston teaches:

With respect to claim 1:

- Accessing an interior area of a cash dispensing (Column 2, Lines 51-52) automated banking machine (It is inherent that there must be access to an interior area of a of the banking machine (Column 2, Lines 46-48) in order to remove deposited items from the machine or to service the machine)
- A Banking machine (Column 2, Lines 46-47)
- Printhead (Figure 2A teaches printer, #70, which inherently has a printhead)

With respect to claim 15:

- Cash dispensing automated banking machine (Column 2, Lines 51-52)

Johnston fails to teach:

With respect to claim 1:

- Disconnecting an ink capturing vessel from overlying relation of a nozzle location corresponding to an operative position of nozzles of a printhead wherein the vessel is adapted to capture ink not deposited on envelopes
- Removing the vessel

With respect to claim 15:

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- Disengaging from supporting connection with a housing, a pivotally mounted vessel (Figure 2 teaches spittoon, #40, pivots in the direction of arrow when removing from the printer) including a cavity therein (Figure 2 teaches a cavity formed by walls, #'s 48 and 49) and an opening thereon to the cavity, wherein prior to disconnecting the vessel the opening is generally overlying a nozzle location of ink spraying nozzles of a print cartridge
- Removing the vessel

However, Barton teaches:

With respect to claim 1:

- Disconnecting an ink capturing vessel (Column 5, Lines 30-35) from overlying relation of a nozzle location corresponding to an operative position of nozzles of a printhead (Figure 2 teaches the nozzles, #36, are in overlying relation to the spittoon, #40) wherein the vessel is adapted to capture ink not deposited on envelopes (Column 3, Lines 6-11 teaches the spittoon captures waste ink, which is ink that is not used for printing)
- Removing the vessel (Column 3, Lines 66-67)

Therefore, it would have been obvious to one of ordinary skill in the art to modify the invention of Johnston to use an ink jet printer as the printer in the ATM, as taught by Barton, as they are a well-know, cost efficient, non-contact

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means of printing with a user-friendly method of replacing widely available ink cartridges. It would have been obvious to disconnect and remove an ink spittoon, as taught by Barton, to empty or replace the spittoon when it is filled with ink (Column 3, Line 66 – Column 4, Line 1).

3. Claims 16-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Johnston US 5,673,333 in view of Barton et al. US 6,733,108 B2, as applied to claim 15 above, and further in view of Lin US 2002/0080209 A1.

Barton additionally teaches:

With respect to claim 17:

- Engaging a vessel in movable supporting connection with the housing (Column 5, Lines 13-25), with an ink accepting opening in overlying relation of the nozzle location (Figure 2 teaches when the spittoon, #40, is in place it is in overlying relation with printhead nozzles, #36)

Johnston as modified by Barton fails to teach:

With respect to claim 16:

- Disconnecting a movable wiper from an actuator in the machine, wherein the wiper includes a squeegee portion which moves over the nozzle location responsive to movement of the actuator

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With respect to claim 17:

- Connecting a movable wiper and the actuator

However, Lin teaches:

With respect to claim 16:

- Disconnecting a movable wiper from an actuator in the machine (Page 1, Paragraph 0016), wherein the wiper includes a squeegee portion which moves over the nozzle location responsive to movement of the actuator (Page 1, Paragraph 0015)

With respect to claim 17:

- Connecting a movable wiper and the actuator (Page 1, Paragraph 0016 teaches the wiper may be replaced therefore it will be connected)

Therefore, it would have been obvious to one of ordinary skill in the art to modify the invention of Johnston as modified by Barton to disconnect a wiper that includes a squeegee portion, as taught by Lin, to replace it with a new wiper (Page 1, Paragraph 0016).

Examiner's Note

Examiner has cited particular column and line numbers in the references as applied to the claims above for the convenience of the applicant. Although the specified

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citations are representative of the teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the Applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the Prior Art or disclosed by the Examiner.

Allowable Subject Matter

4. Claims 2-14 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

5. The following is an examiner's statement of reasons for allowance:

With respect to claim 2 and all its dependencies:

- Disconnecting a pair of opposed pins that are supporting the ink capturing vessel from movable operative engagement with a banking machine housing

The prior art of record fails to provide sufficient teaching or motivation to one of ordinary skill in the art to provide the features of these claims in the combinations as claimed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kristy A. Haupt whose telephone number is (571) 272-8545. The examiner can normally be reached on M-F 7:00-3:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on (571) 272-2398. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

8/17/06

KAH

KEH

Jared J. Furman
JARED J. FURMAN
PRIMARY EXAMINER